IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 374 of 2005

Between:

Dr.(Mrs).P.Leelavathi, Associate Professor Department of Botany
Koti, Hyderabad, 500 004.

..... PETITIONER

AND

1. Osmania University, University Campus, rep. by Registrar,

Hyderabad.
2 Asst.Registrar (pre-audit), Osmania University, University

Campus, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue any appropriate writ, order or direction more particularly one in the nature of a Writ of Mandamus declaring the proceedings of the 1st Respondent No. 3885/193/89/Adm.1-1 dt 22-9-2004 as illegal and void and consequently declare that the petitioner is entitled to be awarded the Selection Grade and designation of Readership under CAS of the UGC RSP 1996 with effect from 1-1-1996 and entitled to all the benefits as such and pass such other further orders.

Counsel for the Petitioner:MR.A.RAMALINGESWAR RAO

Counsel for the Respondent Nos.1 and 2: MR.DEEPAK BHATTACHARJEE

The Court at the admission stage made the following O R D E R:

The University passed the impugned order changing the date of promotion of the petitioner as Associate Professor in Botany. According to the University, the extra-ordinary leave period availed on personal grounds by the petitioner was not deducted by mistake, though a decision has been taken at the syndicate level to exclude such period. But, however, it is admitted that the impugned order dated 22.09.2004 was passed by the University without issuing any show cause notice and without affording any opportunity to the petitioner.

On that simple ground of violation of principles of natural justice, the impugned order is set aside. However, it is left open to the University, if it so chooses to take appropriate action, it can do so after giving a show cause notice and after considering the explanation, if any, to be submitted by the petitioner.

Accordingly, the writ petition is disposed of. No costs.

08.02.2004

usd

To

1. The Registrar, Osmania University, University Campus,

Hyderabad.

2 The Assistant Registrar (pre-audit), Osmania University,

University Campus, Hyderabad.

3. Two CD copies.